

A U S T I N C I T Y C O U N C I L  
**AGENDA**

Thursday, October 05, 2006

+ Back Print

**Zoning Ordinances / Restrictive Covenants  
(HEARINGS CLOSED)  
RECOMMENDATION FOR COUNCIL ACTION****ITEM No. 44**

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**Subject:** C14-06-0154 - The Domain - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10701 North MoPac Expressway (Walnut Creek/Shoal Creek Watershed) from major industrial-planned development area (MI-PDA) combining district zoning to major industrial planned development area (MI-PDA) combining district zoning to change a condition of zoning. First reading approved on September 28, 2006. Vote: 7-0. Applicant: The Domain Shopping Center, L.P. (Tom Schneider). Agent: Drenner, Golden, Stuart, Wolff, L.L.P. (Michelle Haussmann). City Staff: Jorge E. Rousselin, 974-2975.

**Additional Backup Material**

(click to open)

**Staff Report****For More Information:** Jorge E. Rousselin, 974-2975.

## SECOND / THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-06-0154

REQUEST:

Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10701 North MoPac Expressway (Walnut Creek/Shoal Creek Watershed) from major industrial-planned development area (MI-PDA) combining district zoning to major industrial-planned development area (MI-PDA) combining district zoning to change a condition of zoning. Staff Recommendation: To grant major industrial-planned development area (MI-PDA) combining district zoning to change a condition of zoning. Planning Commission Recommendation: To grant major industrial-planned development area (MI-PDA) combining district zoning to change a condition of zoning. Applicant: The Domain Shopping Center, L.P. (Tom Schneider). Agent: Drenner, Golden, Stuart, Wolff, L.L.P. (Michelle Haussmann). City Staff: Jorge E. Rousselin, 974-2975.

DEPARTMENT COMMENTS:

The subject rezoning area consists of a 57 acre site along MoPac Expressway north of Braker Lane. The site is currently under construction for a mixed-use project including retail, restaurants, office and multifamily development. The property was rezoned on July 31, 2003 from MI to MI-PDA under Ordinance No. 030731-Z-5 (Please see Attachment A). On December 16, 2004, Ordinance No. 030731-Z-5 was modified to include buffer zones, land uses, and cut-and-fill requirements under Ordinance No. 041216-Z-5b. (Please see Attachment B). The applicant wishes to modify the existing PDA to establish sign regulations and proposes the modifications to Sections 25-10-5; 25-10-23; 25-10-131; and 25-10-191 (Please see Attachment C). The proposed amendments seek to allow the placement of 4 subdivision identification signs along the Mopac Expressway Access Road. (Please see Attachments D and E). The primary gateway sign is proposed at 49 feet in height with additional architectural features totaling 72 feet in height. Additional signs are proposed at 5 feet and 12 feet. Under the current regulations only a 12 feet sign can be erected. Access to the site is proposed driveways along MoPac Expressway Access Road.

OWNER/APPLICANT: The Domain Shopping Center, L.P. (Tom Schneider)

AGENT: Drenner, Golden, Stuart, Wolff, L.L.P. (Michelle Haussmann)

DATE OF FIRST READING: September 28, 2006

CITY COUNCIL HEARING DATE: October 5, 2006

CITY COUNCIL ACTION: Pending

ORDINANCE NUMBER:

ASSIGNED STAFF: Jorge E. Rousselin , e-mail: jorge.rousselin@ci.austin.tx.us

**ZONING REVIEW SHEET****CASE:** C14-06-0154**P. C. DATE:** August 8, 2006**ADDRESS:** 10701 North MoPac Expressway**OWNER:** The Domain Shopping Center, L.P.  
(Tom Schneider)**AGENT:** Drenner+Golden, Stuart, Wolff,  
LLP. (Michele Haussmann)**REZONING FROM:** MI-PDA (Major industrial – planned development area)**TO:** MI-PDA (Major industrial – planned development area) combining district**AREA:** 57 Acres**SUMMARY PLANNING COMMISSION RECOMMENDATION:***August 8, 2006:****APPROVED STAFF'S RECOMMENDATION FOR MI-PDA DISTRICT ZONING; BY  
CONSENT. [J. REDDY, M. DEALEY 2<sup>ND</sup>] (8-0)*****SUMMARY STAFF RECOMMENDATION:**

Staff recommends the rezoning from MI-PDA to MI-PDA to amend Ordinance No. 030731-Z-5 by establishing sign regulations. The Staff recommendation is based on the following considerations:

- 1.) The underlying zoning district is not proposed to be modified;
- 2.) Existing land uses shall remain;
- 3.) The proposed regulations will establish sign regulations that will limit the number of signage on the site; and
- 4.) All other terms and conditions in the existing site plan and Ordinance No. 041216-Z-5b and Ordinance No. 030731-Z-5 shall remain in place.

**DEPARTMENT COMMENTS:**

The subject rezoning area consists of a 57-acre site along MoPac Expressway north of Braker Lane. The site is currently under construction for a mixed-use project including retail, restaurants, office and multifamily development. The property was rezoned on July 31, 2003 from MI to MI-PDA under Ordinance No. 030731-Z-5 (Please see Attachment A). On December 16, 2004, Ordinance No. 030731-Z-5 was modified to include buffer zones, land uses, and cut-and-fill requirements under Ordinance No. 041216-Z-5b. (Please see Attachment B). The applicant wishes to modify the existing PDA to establish sign regulations and proposes the modifications to Sections 25-10-5; 25-10-23; 25-10-131; and 25-10-191 (Please see Attachment C). The proposed amendments seek to allow the placement of 4 subdivision identification signs along the Mopac Expressway Access Road. (Please see Attachments D and E). The primary gateway sign is proposed at 49 feet in height with additional architectural features totaling 72 feet in height. Additional signs are proposed at 5 feet and 12 feet. Under the current regulations only a 12 foot sign can be erected. Access to the site is proposed driveways along MoPac Expressway Access Road.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	MI-PDA	Undeveloped land – under construction
<i>North</i>	MI-PDA	MoPac Expressway / Offices
<i>South</i>	MI-PDA	Industrial
<i>East</i>	MI-PDA	Undeveloped land – under construction
<i>West</i>	LO / MI-PDA	MoPac Expressway / Offices

**NEIGHBORHOOD PLAN:**

North Burnet / Gateway

**TIA:** Waived; See Transportation comments**WATERSHED:** Walnut Creek / Shoal Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**SCENIC ROADWAY:** Yes**NEIGHBORHOOD ORGANIZATIONS:**

64--River Oaks Lakes Estates Neighborhood

114--North Growth Corridor Alliance

480--Scofield Farms Residents Assn.

511--Austin Neighborhoods Council

742--Austin Independent School District

**SCHOOLS:**

Austin Independent School District

- Davis Elementary School
- Murchison Middle School
- Anderson High School

**RELATED CASES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-03-0016	MI to MI-PDA	06/11/03: APVD STAFF REC OF MI-PDA (8-0)	07/31/03: APVD MI-PDA (7-0); ALL 3 RDGS
C14-04-0151	MI-PDA to MI-PDA	11/23/04: APVD STAFF REC INCL 5 CONDS IN WPDR MEMO OF 11-16-04 (7-0)	12/16/04: APVD MI-PDA (7-0); ALL 3 RDGS

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-97-0017	MI to MI-PDA; MF-2 to MI-PDA	07/08/97: APVD MI-PDA (5-0-3); AP AGREED TO PROVIDE PEDESTRIAN/SIDEWALK ACCESS TO DUVAL RD	08/14/97: APVD MI-PDA (7-0) ALL 3 RDGS
C14-00-2085	SF-2 to CS	10/27/00: WITHDRAWN BY APPLICANT	N/A
C14H-00-2177	LI-PDA to LI-PDA	10/23/00: HLC: APVD H ZONING	10/30/00: APVD LI-PDA (1) & LI-

	and LI-PDA-H	(6-0) BASED ON 1, 2-3, 5-9 & 12 10/24/00: APVD STAFF REC OF LI-PDA (1); LI-PDA-H (2) BY CONSENT (9-0)	PDA-H (2); (7-0); ALL 3 RDGS
C14-03-0016	MI to MI-PDA	06/11/03: APVD STAFF REC OF MI-PDA (8-0)	07/31/03: APVD MI-PDA (7-0); ALL 3 RDGS
C14-03-0017	MI to MI-PDA	06/11/03: PVD STAFF REC OF MI-PDA W/INCLUSION OF ORIG PDA CONDS (ORD. 000608-67); (8-0)	07/31/03: APVD MI-PDA (7-0); ALL 3 RDGS
C14-04-0146	P to CH	11/09/04: APVD STAFF ALT REC OF CH W/CONDS (8-0). Conditions: TIA	12/02/04: APVD CH (7-0); ALL 3 RDGS
C14-06-0077	LI-PDA to LI-PDA	06/13/06: APVD STAFF REC OF LI-PDA BY CONSENT (8-0)	07/27/06: APVD LI-PDA (7-0); ALL 3 RDGS

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Bus Route
MoPac	Varies	Varies	Arterial	No	No	No

**CITY COUNCIL DATE:**

September 28, 2006

October 5, 2006

**ACTION:****ORDINANCE READINGS:** 1<sup>st</sup> 2<sup>nd</sup> 3<sup>rd</sup>**ORDINANCE NUMBER:****CASE MANAGER:** Jorge E. Rousselin, NPZD**PHONE:** 974-2975**E-MAIL:** jorge.rousselin@ci.austin.tx.us

**Rousselin, Jorge**

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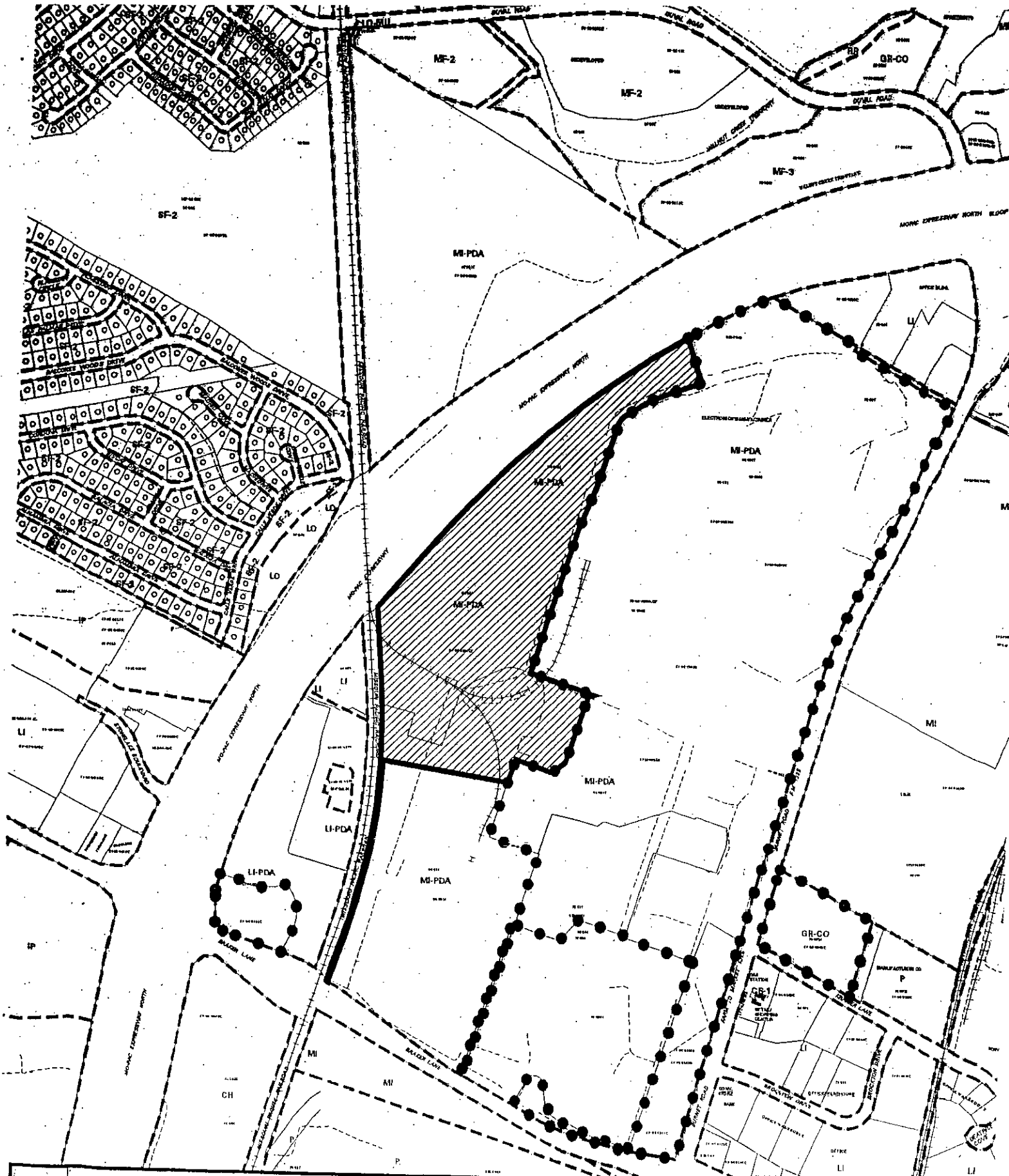
**From:** Guernsey, Greg  
**Sent:** Friday, July 21, 2006 11:35 AM  
**To:** Rusthoven, Jerry; Rousselin, Jorge  
**Subject:** FW: The Domain


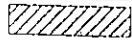

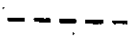
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**From:** Cerkar, Donna  
**Sent:** Friday, July 21, 2006 10:33 AM  
**To:** Guernsey, Greg  
**Subject:** The Domain

Melissa Hawthorne came by to show me the proposal for The Domain zoning change. I support staff recommendation for the sign proposals.




Thank you,  
Donna Cerkar



 1" = 800'	SUBJECT TRACT		ZONING CASE #: C14-06-0154 ADDRESS: 11701 North MoPac Expressway SUBJECT AREA (acres): 57 DATE: 06-07 INTLS: SM	CITY GRID REFERENCE NUMBER K33-34
	PENDING CASE			
	ZONING BOUNDARY			
	CASE MGR: J. ROUSSELIN			

11701 N. MoPac Expressway  
C14-06-0154

**Legend**

 Zoning  
 Base  
 Center Line

100 0 100 200 300 400 500 Feet

**C14-06-0154**



## STAFF RECOMMENDATION

Staff recommends the rezoning from MI-PDA to MI-PDA to amend Ordinance No. 030731-Z-5 by establishing sign regulations. The Staff recommendation is based on the following considerations:

- 1.) The underlying zoning district is not proposed to be modified;
- 2.) Existing land uses shall remain;
- 3.) The proposed regulations will establish sign regulations that will limit the number of signage on the site; and
- 4.) All other terms and conditions in the existing site plan and Ordinance No. 041216-Z-5b and Ordinance No. 030731-Z-5 shall remain in place.

## BASIS FOR RECOMMENDATION

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

*The purpose of a planned development area (PDA) combining district is to:*

- (1) provide for industrial and commercial uses in certain commercial and industrial base districts; or*
- (2) incorporate the terms of a planned development area agreement into a zoning ordinance following annexation of a property that is subject to a planned development area agreement.*

The proposed rezoning meets the purpose statement of the district sought as the proposed change will encourage commercial uses in an industrial based zone.

2. *Zoning changes should promote compatibility with adjacent and nearby.*

Existing uses adjacent to the subject property are mixed uses and commercial uses. The proposed change will be compatible as it will integrate itself to the surrounding land uses. The erection of signage will not infringe on the land uses or established zoning.

## EXISTING CONDITIONS

### Site Characteristics

The subject rezoning area consists of a 57 acre site along MoPac Expressway north of Braker Lane. The site is currently under construction for a mixed-use project including retail, restaurants, office and multifamily development. The property was rezoned on July 31, 2003 from MI to MI-PDA under Ordinance No. 030731-Z-5 (Please see Attachment A). On December 16, 2004, Ordinance No. 030731-Z-5 was modified to include buffer zones, land uses, and cut-and-fill requirements under Ordinance No. 041216-Z-5b. (Please see Attachment B). The applicant wishes to modify the existing PDA to establish sign regulations and proposes the modifications to Sections 25-10-5; 25-10-23; 25-10-131; and 25-10-191 (Please see Attachment C). The proposed amendments seek to allow the placement of 3 subdivision identification signs along the Mopac Expressway Access Road. (Please see Attachment D). The primary gateway sign is proposed at 49 feet in height with additional architectural features totaling 72 feet in height. Additional signs are proposed at 5 feet and 12 feet.

**Transportation**

1. The proposed zoning change does not increase the density or change the land uses assumed in the original TIA for this site. This case shall comply with the TIA completed under site plan SP-05-0502CF.

**Environmental**

1. No comments

**Water and Wastewater**

1. The landowner intends to serve each lot with City of Austin water and wastewater utilities.
2. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extension, system upgrades, utility adjustments, and utility relocation.
3. The water and wastewater utility system must be in accordance with the City of Austin utility design criteria.
4. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility.
5. The water and wastewater utility construction must be inspected by the City and the landowner must pay the City inspection fees with the utility construction.

**Site Plan**

1. Mopac is a scenic roadway, staff recommends getting comments from the sign permit reviewer.

**Sign Permits**

1. Support staff recommendation for the sign proposals.

**ORDINANCE NO. 030731-Z-5**

**AN ORDINANCE REZONING AND CHANGING THE MAP FOR THE PROPERTY KNOWN AS THE MULTEK PROJECT LOCATED AT 3300 WEST BRAKER LANE FROM MAJOR INDUSTRIAL (MI) DISTRICT TO MAJOR INDUSTRIAL PLANNED DEVELOPMENT AREA (MI-PDA) COMBINING DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from major industrial (MI) district to major industrial planned development area (MI-PDA) combining district on the property described in Zoning Case No.C14-03-0016, on file at the Neighborhood Planning and Zoning Department, as follows:

A 70.500 acre tract of land, more or less, out of the James Rodgers Survey No. 19, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, (the "Property")

locally known as 3300 West Braker Lane, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

**PART 2.** Except as otherwise provided in Part 4, Section 3, development of the Property shall comply with Section 25-2-648 (*Planned Development Area Performance Standards*) of the City Code.

**PART 3.** Development of the Property shall comply with the following use regulations:

1. Except as provided in Section 3, all permitted and conditional major industrial (MI) uses are permitted and conditional uses of the Property.

2. The following are additional permitted uses of the Property:

Condominium residential	Retirement housing (small site)
Retirement housing (large site)	Townhouse residential
Consumer repair services	Recreation equipment maintenance
Recreation equipment sales	and storage
Research testing services	Veterinary services
Administrative services	College and university facilities
Convalescent services	Postal facilities
Multifamily residential	

3. The following uses are prohibited uses of the Property:

Monument retail sales	Basic industry
Recycling center	

**PART 4.** Development of the Property shall comply with the following site development regulations:

1. Definitions

As used in this ordinance:

*Mixed Use Building* is a building used for both commercial and residential uses.

2. Lot size

The minimum lot size is one and one-half acres.

3. The Property shall comply with Section 25-2-648 of the City Code except that it does not apply to uses of tenants that occupy the Property on July 31, 2003.

4. The maximum density for residential use is 1,410 dwelling units.

5. Except as provided in Section 7, MI site development standards apply to the Property.

6. Sections 7, 9, and 10 apply to the following uses:

Condominium residential  
Retirement housing (small site)  
Townhouse residential  
Convalescent services

Multifamily residential  
Retirement housing (large site)  
Congregate living

7. If the Property is developed with a use in Section 6 and;

- a. the development is a mixed use building that complies with the site development standards in Section 8, then development of the Property shall comply with the setback requirements of MI; or
- b. the development is a mixed use building other than one described in Section 7a, then development of the Property shall comply with the setback requirements of the multifamily residence high density (MF-5) district.

8. This section applies to a mixed use building described in Section 7a.

- a. The building contains residential units above ground floor level.
- b. The square footage of the residential units on the ground floor is not more than 50 percent of the gross floor area of the ground floor.
- c. The square footage of the non-residential units in the above-ground floor area is not more than 50 percent of the gross floor area of the above-ground floor area.

9. A 100-foot wide buffer zone shall be established and maintained between property developed with the uses in Section 6 and the following uses:

Agricultural sales and services  
Equipment repair services  
Research services  
General warehousing and distribution  
Limited warehousing and distribution  
Postal facilities

Construction sales and services  
Equipment sales  
Research testing services  
Light manufacturing  
Maintenance and service facilities  
Railroad facilities

Improvements permitted within the buffer zone are limited to driveways, parking facilities, solid fences, pedestrian trails, hike and bike trails, recreational facilities,

detention and water quality re-irrigation facilities, drainage, underground utility improvements, overhead electric or communication lines, or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.

10. Except as provided in Section 11, a 25-foot wide vegetative buffer to provide screening shall be provided and maintained between property developed with a use in Section 6 and property developed with a commercial or industrial use. Improvements permitted within the 25-foot buffer zone are limited to drainage, underground utility improvements, overhead electric or communication lines, or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.
11. Section 10 does not apply if a use in Section 6 is in a mixed use building as described in Section 7a.

**PART 5.** The Council waives the requirements of Sections 2-2-3 and 2-2-7 of the City Code for this ordinance.

**PART 6.** This ordinance takes effect on August 11, 2003.

**PASSED AND APPROVED**

July 31, 2003

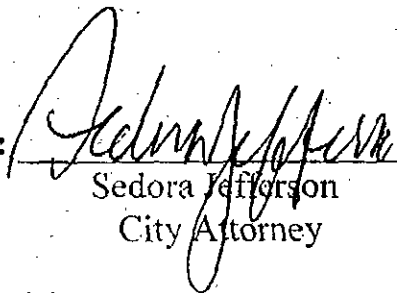
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Will Wynn

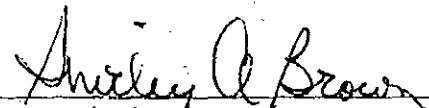
Mayor

APPROVED:



Sedora Jefferson  
City Attorney

ATTEST:



Shirley A. Brown  
City Clerk

70.500 ACRES  
MULTILAYER TEK TRACT  
DOMAIN SUBDIVISION

FN NO. 02-278 (MTH)  
SEPTEMBER 20, 2002  
BPI JOB NO. 1000-30.92

**EXHIBIT A**

**DESCRIPTION**

OF A 70.500 ACRE TRACT OF LAND OUT OF THE JAMES ROGERS SURVEY NO. 19, SITUATED IN TRAVIS COUNTY, TEXAS, BEING THAT SAME 70.494 ACRE TRACT OF LAND CONVEYED TO MULTILAYER TEK, L.P. BY DEED OF RECORD IN VOLUME 13200, PAGE 157 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 70.500 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING**, at a 1/2 inch iron rod found at the intersection of the northerly right-of-way line of Braker Lane (R.O.W. Varies), with the easterly right-of-way line of the Missouri Pacific Railroad, same being the southwesterly corner of said 70.494 acre tract and hereof;

**THENCE**, leaving the northerly right-of-way line of Braker Lane, along the common line of the Missouri Pacific Railroad and said 70.494 acre tract for the westerly line hereof, the following two (2) courses and distances:

- 1) N18°37'54"E, a distance of 384.43 to a 1/2 inch iron rod found at the point of curvature of a non-tangent curve to the left;
- 2) Along said non-tangent curve to the left having a radius of 3854.86 feet, a central angle of 21°59'52", an arc length of 1480.00 feet and a chord which bears N07°34'21"E, a distance of 1470.93 feet to a 1/2 inch iron rod found at an angle point in the irregular westerly line of that certain Remainder of 234.762 acre tract of land conveyed to JER Austin Tech, L.P. by deed of record in Document No. 1999161226 of the Official Public Records of Travis County, Texas, being the northwesterly corner of said 70.494 acre tract and hereof, from which a square head bolt found in the irregular westerly line of said Remainder of 234.762 acre tract bears a chord bearing of N04°12'36"W, a distance of 207.92 feet;

**THENCE**, leaving the easterly right-of-way line of the Missouri Pacific Railroad, along the common line of said Remainder of 234.762 acre tract and said 70.494 acre tract for the northerly line and a portion of the easterly line hereof, the following twenty-eight (28) courses and distances:

- 1) S76°09'37"E, a distance of 225.99 feet to a 1/2 inch iron rod found;
- 2) S16°48'55"W, a distance of 153.28 feet to a 1/2 inch iron rod found;

- 3) S74°29'48"E, a distance of 200.70 feet to a 1/2 inch iron rod found;
- 4) S74°02'32"E, a distance of 38.11 feet to a 1/2 inch iron rod found;
- 5) S17°12'25"W, a distance of 340.78 feet to a 1/2 inch iron rod found at the point of curvature of a non-tangent curve to the right;
- 6) Along said non-tangent curve to the right having a radius of 150.00 feet, a central angle of 45°53'13", an arc length of 120.13 feet and a chord which bears S40°06'59"W, a distance of 116.95 feet to a 1/2 inch iron rod found for the end of said curve;
- 7) N63°08'42"E, a distance of 220.19 feet to a 1/2 inch iron rod found at the point of curvature of non-tangent curve to the right;
- 8) Along said non-tangent curve to the right having a radius of 150.00 feet, a central angle of 44°32'01", an arc length of 116.59 feet and a chord which bears S85°24'22"W, a distance of 113.68 feet to a 1/2 inch iron rod found for the end of said curve;
- 9) N72°17'16"W, a distance of 547.59 feet to a 1/2 inch iron rod found;
- 10) S70°54'35"W, a distance of 35.90 feet to a 1/2 inch iron rod found;
- 11) N17°59'39"E, a distance of 456.88 feet to a 1/2 inch iron rod found;
- 12) S53°16'16"W, a distance of 109.35 feet to a 1/2 inch iron rod found;
- 13) N72°20'03"W, a distance of 261.70 feet to a 1/2 inch iron rod found;
- 14) N17°59'46"E, a distance of 534.11 feet to a PK Nail found;
- 15) N72°26'30"W, a distance of 352.31 feet to a 1/2 inch iron rod found;
- 16) N17°57'12"E, a distance of 278.54 feet to a 1/2 inch iron rod found;



- 17) S78°08'50"E, a distance of 182.74 feet to a 1/2 inch iron rod found;
- 18) S75°43'30"E, a distance of 137.22 feet to a 1/2 inch iron rod found;
- 19) N49°20'38"E, a distance of 50.74 feet to a PK Nail found;
- 20) S74°19'36"E, a distance of 112.97 feet to a 1/2 inch iron rod found;
- 21) S71°39'56"W, a distance of 357.02 feet to a 1/2 inch iron rod found;
- 22) S72°24'55"E, a distance of 169.39 feet to a 1/2 inch iron rod found;
- 23) N24°56'08"E, a distance of 16.36 feet to a 1/2 inch iron rod found;
- 24) S72°15'13"E, a distance of 212.15 feet to a 1/2 inch iron rod found at the most northeasterly corner of said 70.494 acre tract and hereof;
- 25) S01°56'54"E, a distance of 107.36 feet to a 1/2 inch iron rod found;
- 26) S17°21'56"W, a distance of 214.23 feet to a 1/2 inch iron rod found;
- 27) S72°15'42"E, a distance of 434.07 feet to a 1/2 inch iron rod found;
- 28) N17°49'08"E, a distance of 581.87 feet to a 1/2 inch iron rod found in the northerly line of Lot 1, Block "A" Domain Section 1 Subdivision, a subdivision of record in Document No. 200100336 of said Official Public Records, being an interior ell corner of said Remainder of 234.762 acre tract;

**THENCE**, leaving the interior ell corner of said Remainder of 234.762 acre tract, along the common line of said Lot 1, Block "A" and said 70.494 acre tract, for a portion of the irregular easterly line hereof, the following five (5) courses and distances:

- 1) N75°20'21"W, a distance of 82.34 feet to a 1/2 inch iron rod found;
- 2) N72°07'49"W, a distance of 245.96 feet to a 1/2 inch iron rod found;

FN 02-278(MTH)  
SEPTEMBER 20, 2002  
PAGE 4 OF 4


- 3) S42°18'10"W, a distance of 188.64 feet to a 1/2 inch iron rod found;
- 4) N72°12'26"W, a distance of 323.78 feet to a 1/2 inch iron rod found at the northwesterly corner of said Lot 1, Block "A";
- 5) N17°46'50"E, a distance of 1038.58 feet to a PK Nail found in the northerly right-of-way line of Braker Lane, being the southwesterly corner of said Lot 1, Block "A", same being the southeasterly corner of said 70.494 acre tract and hereof;

THENCE, leaving the southwesterly corner of said Lot 1, Block "A", along the northerly right-of-way line of Braker Lane, being the southerly line of said 70.494 acre tract and hereof, the following three (3) courses and distances:

- 1) N62°13'21"W, a distance of 98.68 feet to a 1/2 inch iron rod found;
- 2) N56°22'19"W, a distance of 904.43 feet to a 1/2 inch iron rod found;
- 3) N62°06'58"W, a distance of 95.15 feet to the **POINT OF BEGINNING**, containing an area of 70.500 acres (3,070,982 sq. ft.) of land, more or less, within these metes and bounds.

THAT I, JOHN T. BILNOSKI, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

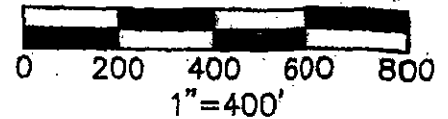
BURY & PARTNERS, INC.  
ENGINEERS-SURVEYORS  
3345 BEE CAVE ROAD, SUITE 200  
AUSTIN, TEXAS 78746

 9/20/02  
JOHN T. BILNOSKI  
R.P.L.S. NO. 4998  
STATE OF TEXAS

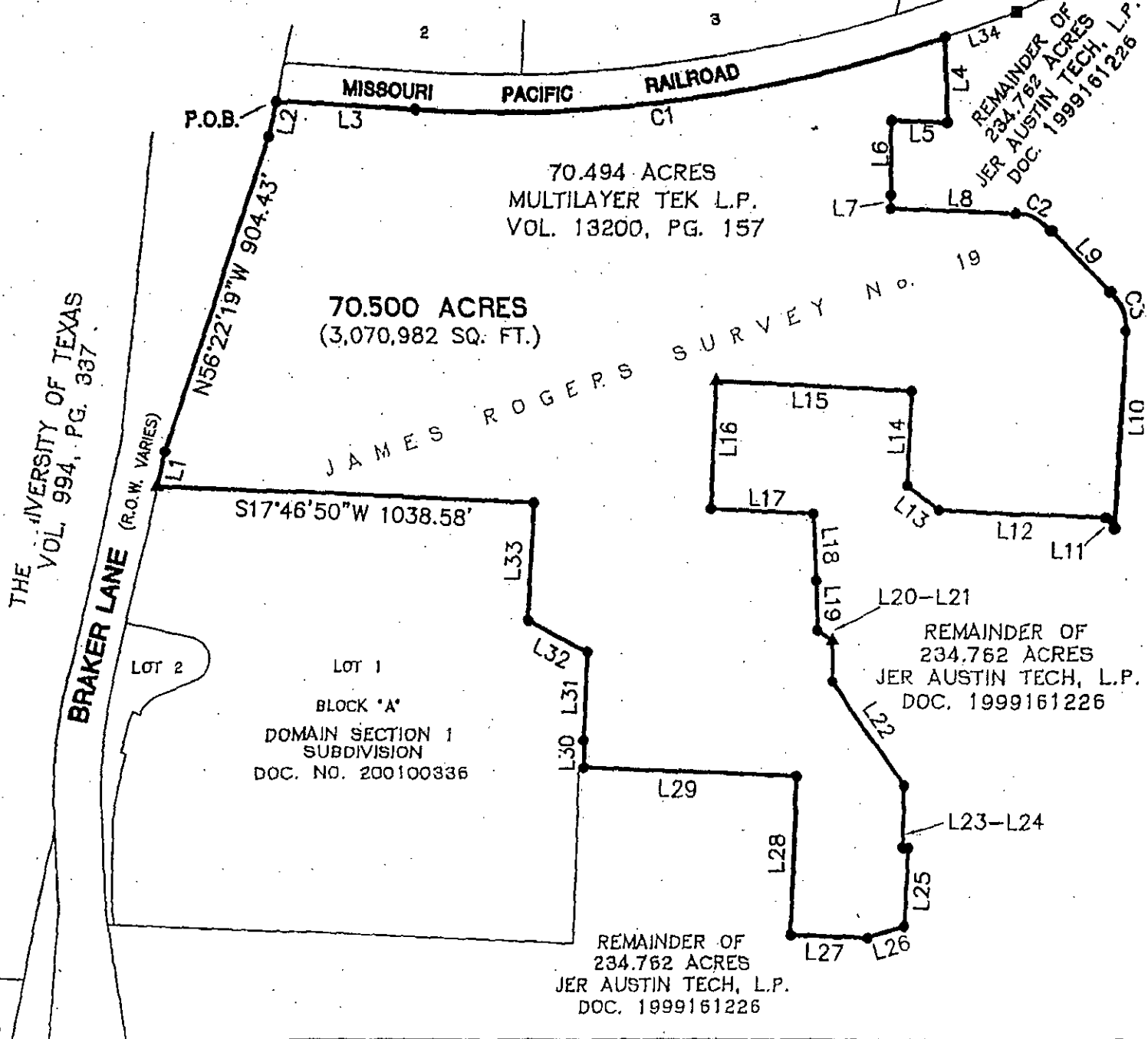


# LEGEND

- 1/2" IRON ROD FOUND
- SQUARE HEAD BOLT FOUND
- ▲ P.K. NAIL FOUND
- P.O.B. POINT OF BEGINNING



BRAKER POINTE SUBDIVISION  
BK. 101, PG. 326  
BLOCK 'A'



BURNET ROAD (F.M. HIGHWAY 1325) (120' R.O.W.)

SHEET 1 OF 2

**Bury+Partners**

Consulting Engineers and Surveyors  
Austin, Texas Tel 512/328-0011 Fax 512/328-0325  
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## SKETCH TO ACCOMPANY DESCRIPTION

OF 70.500 ACRES OF LAND OUT OF THE JAMES ROGERS SURVEY NO. 19, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING THAT SAME TRACT OF LAND OF RECORD IN VOLUME 13200, PAGE 157 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

**ENDEAVOR**

**THE DOMAIN**

### LINE TABLE

No.	Bearing	Distance
L1	N62°13'21"W	98.69'
L2	N62°06'58"W	95.15'
L3	N18°37'54"E	384.43'
L4	S76°09'37"E	225.99'
L5	S16°48'55"W	153.28'
L6	S74°29'48"E	200.70'
L7	S74°02'32"E	38.11'
L8	N17°12'25"E	340.78'
L9	N63°08'42"E	220.19'
L10	S72°17'16"E	547.59'
L11	S70°54'35"W	35.90'
L12	S17°59'39"W	456.88'
L13	S53°16'16"W	109.35'
L14	N72°20'03"W	261.70'
L15	S17°59'46"W	534.11'
L16	S72°26'30"E	352.31'
L17	N17°57'12"E	278.54'
L18	S78°08'50"E	182.74'
L19	S75°43'30"E	137.22'
L20	N49°20'38"E	50.74'
L21	S74°19'36"E	112.97'
L22	N71°39'56"E	357.02'
L23	S72°24'55"E	169.39'
L24	N24°56'08"E	16.36'
L25	S72°15'13"E	212.15'
L26	S01°56'54"E	107.36'
L27	S17°21'56"W	214.23'
L28	N72°15'42"W	434.07'
L29	S17°49'08"W	581.87'
L30	N75°20'21"W	82.34'
L31	N72°07'49"W	245.96'
L32	S42°18'10"W	188.64'
L33	N72°12'26"W	323.78'
L34	N04°12'36"W	207.92'

### CURVE TABLE

No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
C1	21°59'52"	3854.86	1480.00	1470.93	N07°34'21"E
C2	45°53'14"	150.00	120.13	116.95	N40°06'58"E
C3	44°32'02"	150.00	116.59	113.68	N85°24'22"E

COGO: 1016-01  
SHEET 2 OF 2

#### Bury+Partners

Consulting Engineers and Surveyors  
Austin, Texas Tel: 512/328-0011 Fax: 512/328-0325  
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#### SKETCH TO ACCOMPANY DESCRIPTION

OF 70.500 ACRES OF LAND OUT OF THE JAMES ROGERS  
SURVEY NO. 19, SITUATED IN THE CITY OF AUSTIN, TRAVIS  
COUNTY, TEXAS, BEING THAT SAME TRACT OF LAND  
OF RECORD IN VOLUME 13200, PAGE 157 OF THE  
REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

**ENDEAVOR**

**THE DOMAIN**



**ORDINANCE NO. 041216-Z-5b**

**AN ORDINANCE AMENDING ORDINANCE NO. 030731-Z-5 TO REZONE AND CHANGE THE ZONING MAP FROM MAJOR INDUSTRIAL PLANNED DEVELOPMENT AREA (MI-PDA) COMBINING DISTRICT TO MAJOR INDUSTRIAL PLANNED DEVELOPMENT AREA (MI-PDA) COMBINING DISTRICT FOR LAND KNOWN AS THE MULTEK PLANNED DEVELOPMENT AREA LOCATED AT 3300 WEST BRAKER LANE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The Multek Planned Development Area (the "Original Multek PDA") is comprised of approximately 70 acres of land located at 3300 West Braker Lane in Travis County and more particularly described by metes and bounds in Ordinance No. 030731-Z-5. The Original Multek PDA was approved July 31, 2003 under Ordinance No. 030731-Z-5 (the "Original PDA Ordinance").

**PART 2.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from major industrial planned development area (MI-PDA) combining district to major industrial planned development area (MI-PDA) combining district on the property described in Zoning Case No. C14-04-0151, on file at the Neighborhood Planning and Zoning Department, locally known as 3300 West Braker Lane, in the City of Austin, Travis County, Texas, and generally identified as Tract B in the map attached as Exhibit "A".

**PART 2.** This ordinance amends the Original PDA Ordinance. The Original Multek PDA shall conform to the limitations and conditions set forth in the Original PDA Ordinance as amended by this ordinance.

**PART 3.** The Original PDA Ordinance is modified as shown in this part.

1. Part 4, Section 9 is amended as follows:

A 100-foot wide buffer zone measured from building to building shall be established and maintained between property developed with the uses in Section 6 and the following uses:

Agricultural sales and services  
Equipment repair services

Construction sales and services  
Equipment sales

Research services  
General warehousing and distribution  
Limited warehousing and distribution  
Postal facilities

Research testing services  
Light manufacturing  
Maintenance and services facilities  
Railroad facilities

Improvements permitted within the buffer zone are limited to driveways, parking facilities, solid fences, pedestrian trails, hike and bike trails, recreational facilities, detention and water quality re-irrigation facilities, drainage, underground utility improvements, overhead electric or communication lines, or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.

2. Part 4, Section 12 is amended as follows:

Except as provided in Section 13, a 25-foot wide vegetative buffer to provide screening shall be provided and maintained between property developed with a use in Section 8 and property developed with a commercial or industrial use, except when the use in Section 8 abuts a parking structure where the building shares a common wall or unless there is a driveway, private or public roadway of 60 feet or more separating the residential and commercial/industrial uses. If a 100-foot wide buffer zone is required under Section 11, the 25-foot wide vegetative buffer may be located within the 100-foot wide buffer zone.

Improvements permitted within the 25-foot buffer zone are limited to drainage, underground utility improvements, overhead electric or communication lines, or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.

3. Part 4 is amended to add the following sections:

14. Section 25-8-301 (*Construction of a Roadway or Driveway*) is modified to allow construction on a slope.

15. Section 25-8-341 (*Cut Requirements*) and Section 25-8-342 (*Fill Requirements*) are modified to allow cut and fill to exceed four feet of depth. All cut and fill areas shall be structurally contained.

**PART 4.** Except as otherwise provided in this ordinance, the terms and conditions of Ordinance No. 030731-Z-3 remain in effect.

**PART 5.** This ordinance takes effect on December 27, 2004.

**PASSED AND APPROVED**

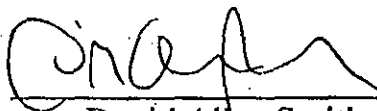
December 16, 2004

§  
§  
§



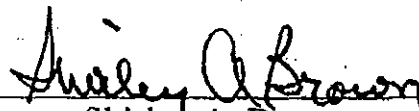
Will Wynn  
Mayor

**APPROVED:**



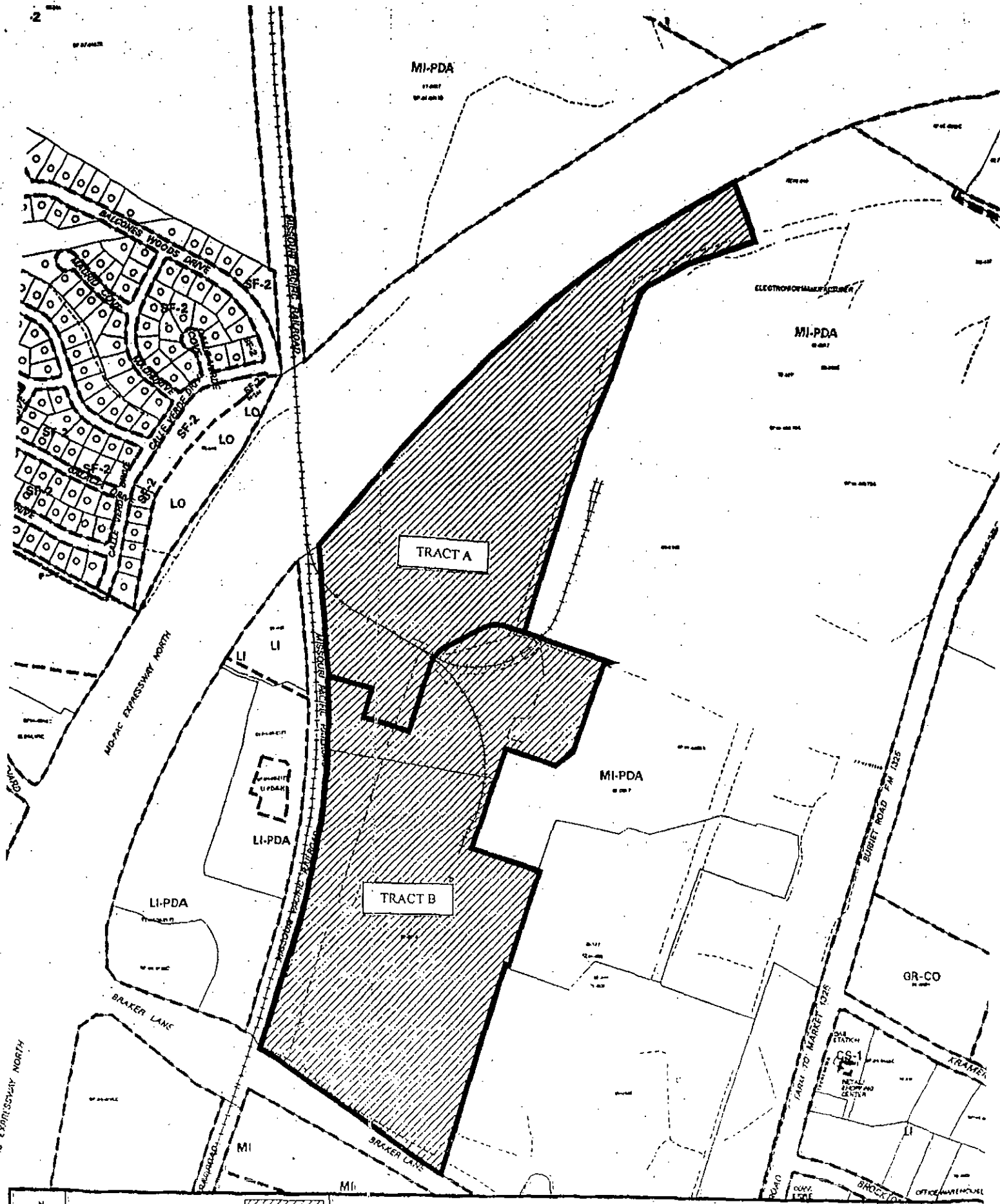
David Allan Smith  
City Attorney

**ATTEST:**



Shirley A. Brown  
City Clerk





SUBJECT TRACT  
 PENDING CASE  
 ZONING BOUNDARY



CASE #: C14-04-0151

ADDRESS: 11400 BURNET RD. S. 3300

ZONING EXHIBIT A

DATE: 04-12

CITY GRID  
 REFERENCE  
 NUMBER  
 K33-34

**Simon Properties – The Domain – PDA Amendment Establishing Sign Regulations**

**§ 25-10-5 CLEARANCE AND HEIGHT CALCULATIONS.**

(A) Sign clearance is calculated by measuring the smallest vertical distance between the grade of the adjacent street pavement or curb and the lowest point of the sign. Sign framework and embellishment are included in the measurement, and sign supports are excluded.

(B) Sign height is calculated by measuring the vertical distance above grade, street pavement, or building facade to the highest point of the sign panel.

**§ 25-10-23 HAZARDOUS SIGNS DESCRIBED AND PROHIBITED.**

(B)(7) is modified to provide that a person may not install, maintain, or use a sign that has less than nine feet of clearance and that is located within the sight safety triangle established in Figure 6-6 of the Transportation Criteria Manual. (RMMA-Mueller PUD regulation)

**§ 25-10-124 SCENIC ROADWAY SIGN DISTRICT REGULATIONS.**

(A) This section applies to a scenic roadway sign district.

(B) One freestanding sign is permitted on a lot.

(1) The sign area may not exceed the lesser of:

(a) 0.4 square feet for each linear foot of street frontage; or

(b) 64 square feet., **subdivision signs are exempt and calculated on linear frontage in (a).**

(2) The sign height may not exceed 12 feet.

**(a) A subdivision sign may have an increase of one foot for each 100 feet of linear street frontage in excess of 1000 feet, not to exceed 50 feet in height.**

(C) Wall signs are permitted.

(D) For signs other than freestanding signs, the total sign area for a lot may not exceed 10 percent of the facade area of the first 15 feet of the building.

(E) In a Hill Country Roadway corridor, a spotlight on a sign or exterior lighting of a sign must be concealed from view and oriented away from adjacent properties and roadways.

(F) Internal lighting of signs is prohibited, except for the internal lighting of individual letters.

(G) In addition to the sign setback requirements established by Section 25-10-191 (*Sign Setback Requirements*), , a sign or sign support must be installed at least 12 feet from the street pavement or curb in the right-of-way, whichever setback is the lesser distance from the street. This subsection does not apply to a political sign permitted by Section 25-10-101(L) (*Signs Allowed In All Sign Districts Without An Installation Permit*).

#### **§ 25-10-131 ADDITIONAL FREESTANDING SIGNS PERMITTED.**

(A) This section applies in the scenic, expressway corridor, downtown, and commercial sign districts.

(B) In this section, "lot" includes contiguous lots used for a single use or unified development.

(C) For a lot with total street frontage of more than 400 feet, two freestanding signs are permitted. **For a tract with a total street frontage of more than 1000 feet, an additional freestanding sign is permitted for 600 feet of street frontage.**

(D) For a lot fronting on **multiple** streets, one freestanding sign is permitted on each street. **Furthermore, one freestanding sign is permitted on each access point.**

#### **§ 25-10-154 SUBDIVISION IDENTIFICATION SIGN.**

For each major entry to a multi-lot, master planned subdivision, **(delete the word "two")** permanent subdivision identification signs with combined sign area of not more than 450 square feet are permitted.

#### **§ 25-10-191 SIGN SETBACK REQUIREMENTS.**

(A) A sign installed in compliance with this section is not required to comply with building setback requirements established elsewhere in this title.

(B) A sign support 12 inches or less in diameter is not required to be set back from a street right-of-way.

(C) A sign support more than 12 inches and not more than 24 inches in diameter must be set back at least three feet from a street right-of-way.

(D) A sign support more than 24 inches and not more than 36 inches in diameter must be set back at least five feet from the street right-of-way.

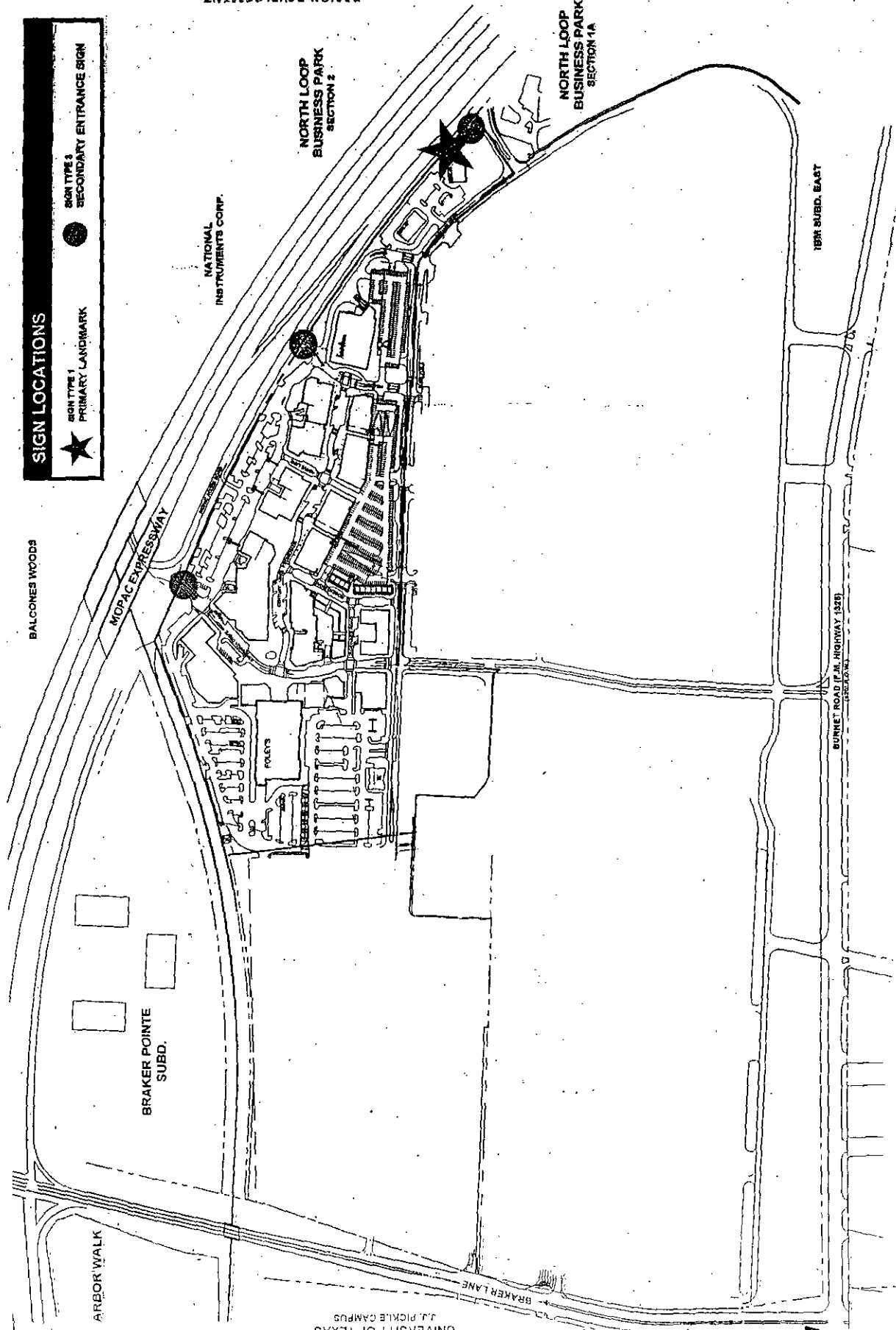
(E) A sign support more than 36 inches in diameter must be set back at least 12 feet from the street pavement.

(F) is modified to provide that a sign is permitted within 12 feet of a street right-of-way if the sign is not located within the sight safety triangle as established in Figure 6-6 of the Transportation Criteria Manual. (RMMA-Mueller PUD regulation)

The **DOMINION**

SHEET NO. <b>0.02</b>	
PROJECT: <b>THE DOMAIN</b>	TITLE: <b>Site Plan</b>
FILE NAME: <b>0.02 Site Plan</b>	DATE: <b>7/24/06</b>
PROJECT NO. <b>05.460</b>	
REVISIONS:	

LORENCE YOUNG DESIGN



ATTACHMENT D

**DESIGN DEVELOPMENT**

**LORENC YOO DESIGN**

100 Victory Street • Roswell, GA 30075-4926 • Phone 770.643.2828 • Fax 770.998.7457

**PROJECT:** THE DOMAIN  
**PROJECT NO:** 05.460

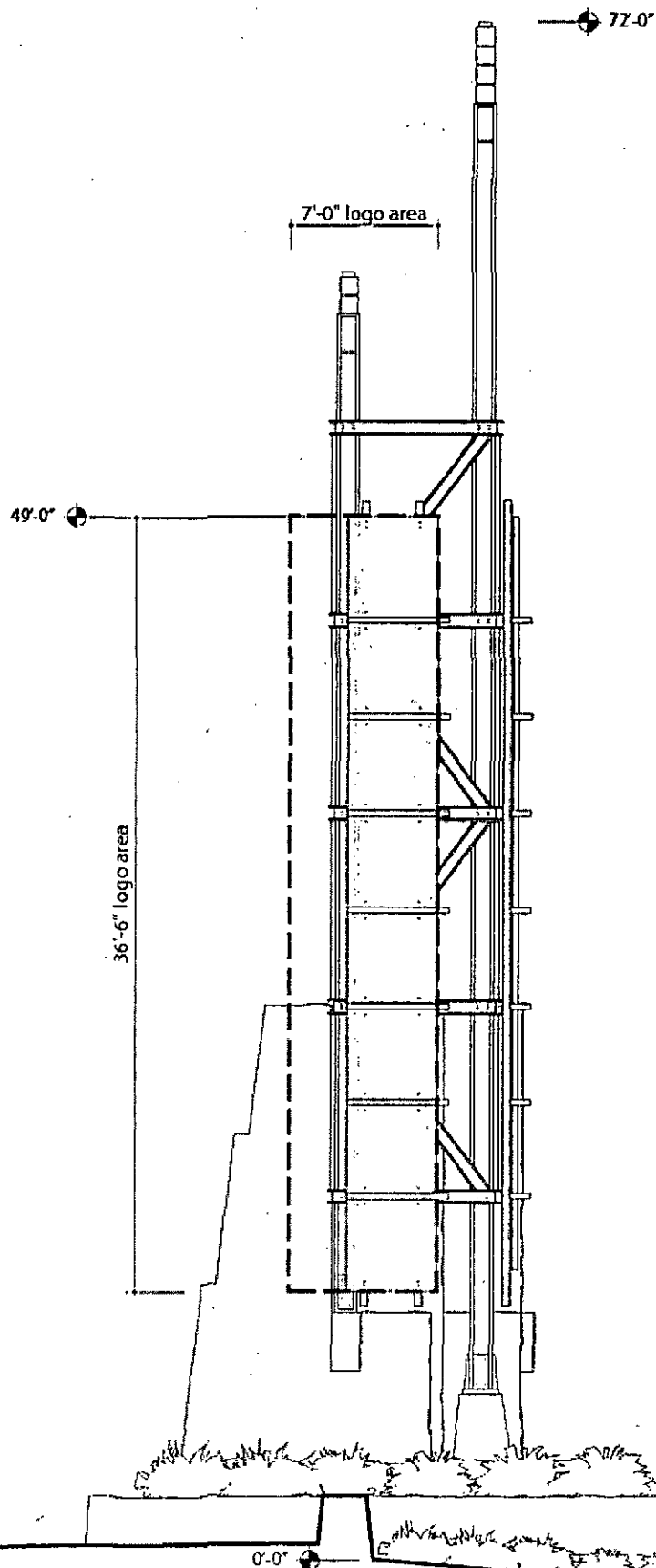
**FILE NAME:** 1.1 Primary Gateway  
**DATE:** 8.1.06

**TITLE:** S.T. 1 - Primary Gateway  
**REVISIONS:**

**SHEET NO:**

**1.1**

These drawings are for the sole purpose of expressing visual design intent only and are not intended for actual fabrication purposes.



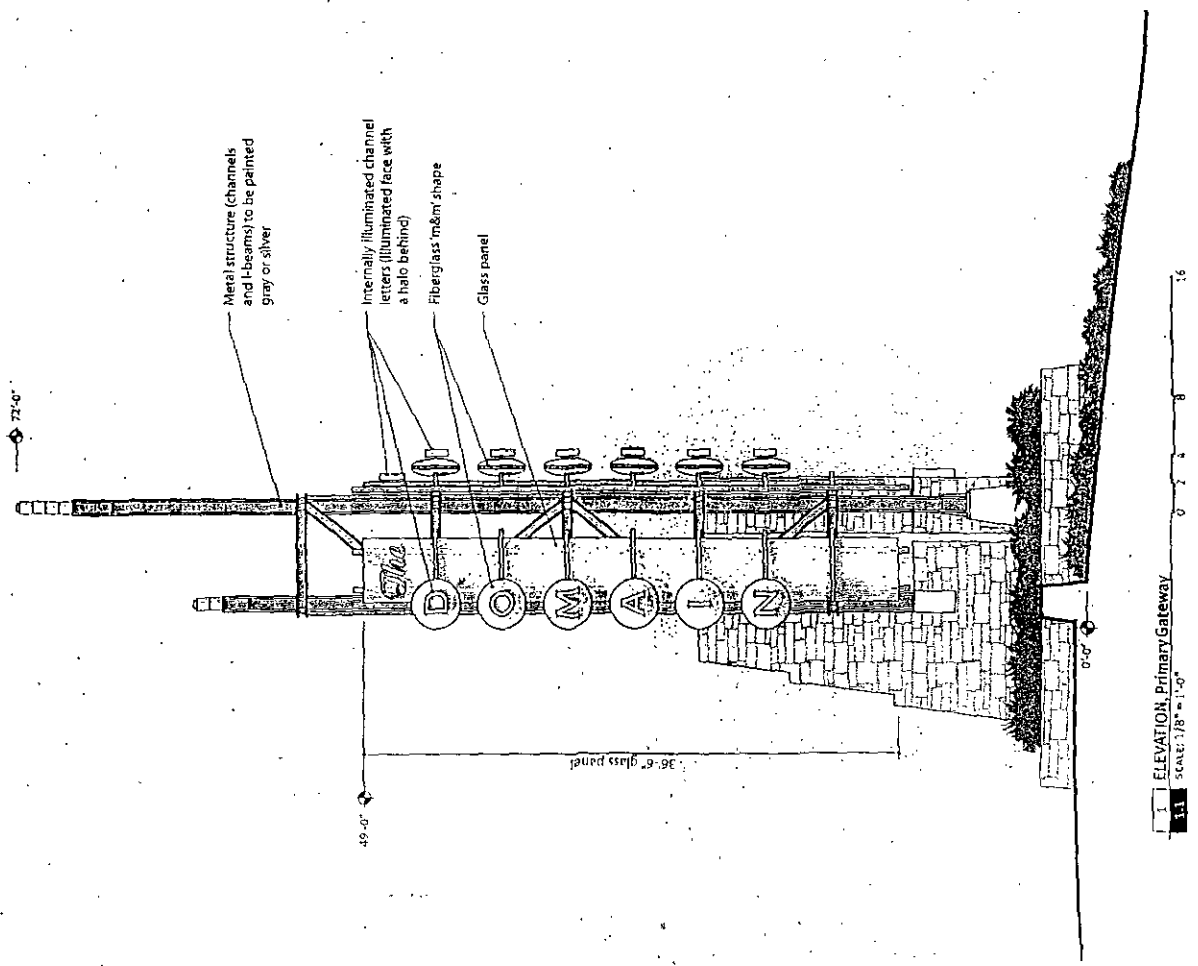
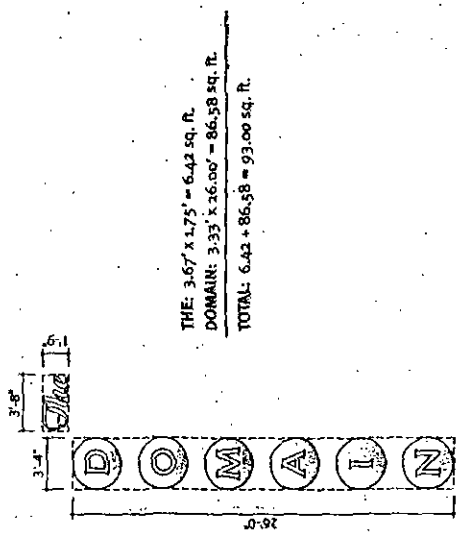
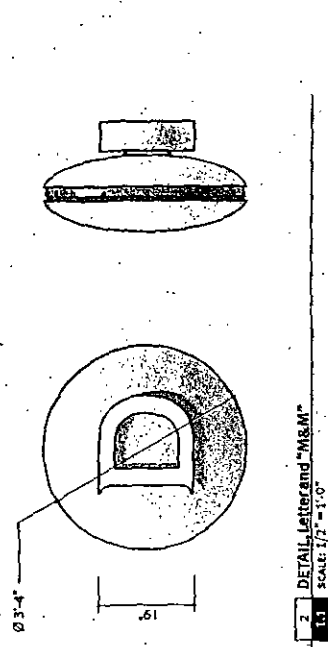
**1** ELEVATION, Primary Gateway  
**1.1** SCALE: 1/8" = 1'-0"

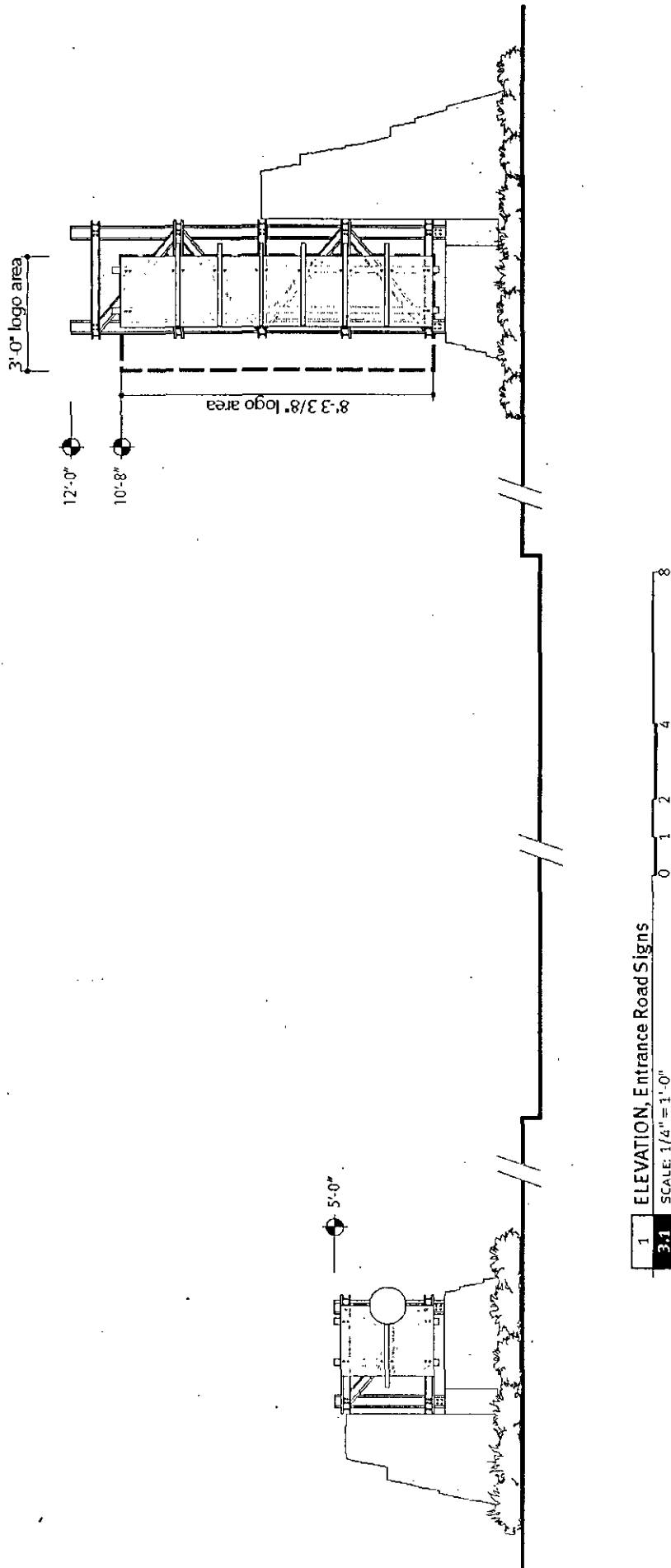
0 2 4 8 16

The DOMAIN

PROJECT: THE DOMAIN		SHEET NO. 1.1	
FILE NAME: 1.1 Primary Gateway		TITLE: S.T. 1 - Primary Gateway	
DATE: 11.11.05		REVISIONS:	
PROJECT NO.: 05.460			

LORENCE+VOIGT DESIGN





The

D  
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N

# DESIGN DEVELOPMENT

109 Valley Street, Norwell, GA 30075-4926 Phone 770.645.2828 Fax 770.998.2452

LORENC YOO DESIGN

SHEET NO:	PROJECT: THE DOMAIN		PROJECT NO: 05.460	
	FILE NAME: 3-1 Secondary Entrance Signs		DATE: 7.17.06	
	TITLE: S.T. 3 - Secondary Entrance Signs		REVISIONS:	

3.1

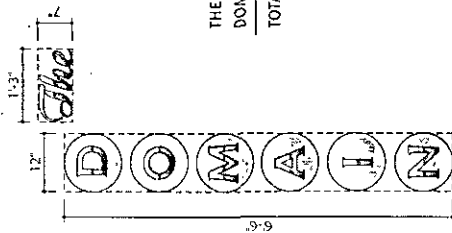
These drawings are for the sole purpose of expressing visual design intent only and are not intended for actual fabrication purposes.



THE DOMAIN

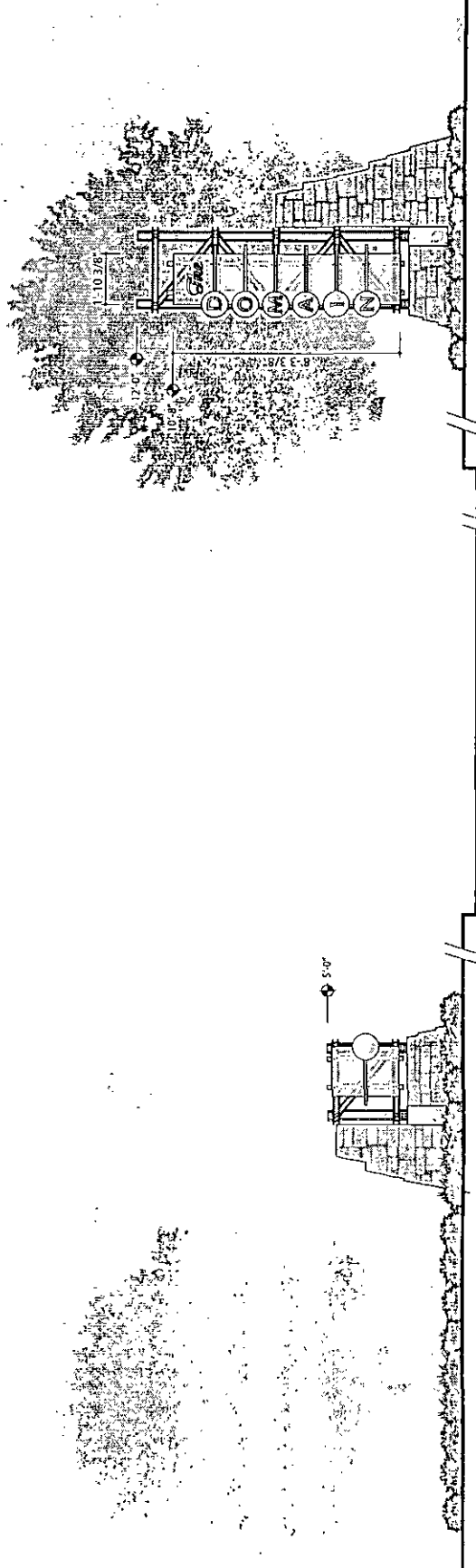
SHEET NO: 3.1	
PROJECT: THE DOMAIN	
FILE NAME: 3.1 Secondary Entrance Signs	TITLE: S.I. 3 - Entrance Road Signs
DATE: 11.11.05	REVISIONS:
PROJECT NO: 05.460	

LORENCE+YOO DESIGN



THE: 1.25' x .58' = .73 sq. ft.  
 DOMAIN: 1.00' x 6.50' = 6.50 sq. ft.  
 TOTAL: .73 + 6.50 = 7.23 sq. ft.

2 SIGNAGE AREA CALCULATIONS  
 3.1 SCALE: 1/2" = 1'-0"



1 ELEVATION Entrance Road Signs  
 3.1 SCALE: 1/4" = 1'-0"

These drawings are for the sole purpose of expressing actual design intent only and are not intended for actual fabrication purposes.

SCENIC	EXPRESS WAY	CODE REQUIREMENT	LDC SECTION	CODE REQUIREMENT	LDC SECTION	PDA
LDC SECTION		CODE REQUIREMENT				PDA PROPOSAL
§ 25-10-5		(B) Sign height is calculated by measuring the vertical distance above grade, street pavement, or building facade to the highest point of the sign.	§ 25-10-5	(B) Sign height is calculated by measuring the vertical distance above grade, street pavement, or building facade to the highest point of the sign.	§ 25-10-5	(B) Sign height is calculated by measuring the vertical distance above grade, street pavement, or building facade to the highest point of the sign panel.
§ 25-10-23 (B)		(7) has less than nine feet of clearance and is located within a triangle formed by connecting the intersection point of two streets and the intersection point on the street frontage property line of each intersecting street;	§ 25-10-23 (B)	(7) has less than nine feet of clearance and is located within a triangle formed by connecting the intersection point of two streets and the intersection point on the street frontage property line of each intersecting street;	§ 25-10-23 (B)	(7) is modified to provide that a person may not install, maintain, or use a sign that has less than nine feet of clearance and that is located within the sight safety triangle established in Figure 6-6 of the Transportation Criteria Manual. (RMMA-Mueller PUD regulation)
§ 25-10-124(B)		SIGN QUANTITY: One freestanding sign is permitted on a lot	§ 25-10-123	SIGN QUANTITY: One freestanding sign is permitted on a lot	§ 25-10-124 (B)	SIGN QUANTITY: One freestanding sign is permitted on a lot
§ 25-10-124(B)(1)		SIGN AREA: Freestanding sign area may not exceed the lesser of (a) 0.4 sq. ft. per linear foot of street frontage, or (b) 64 sq. ft.	§ 25-10-123 (B) 2 (b)	SIGN AREA: Freestanding sign area may not exceed the lesser of (i) 0.7 sq. ft. per linear foot of street frontage, or (ii) 300 sq. ft.	§ 25-10-124(B)(1)	SIGN AREA: Freestanding sign area may not exceed the lesser of (a) 0.4 sq. ft. per linear foot of street frontage, or (b) 64 sq. ft. Subdivision signs are exempt (from b) and calculated on linear frontage in (a).
§ 25-10-124(B)(2)		SIGN HEIGHT: Freestanding sign height may not exceed 12 ft.	§ 25-10-123 (B)(3)	SIGN HEIGHT: Freestanding sign height may not exceed the greater of: (a) 35 feet above frontage street pavement grade; or (b) 20 feet above grade at the base of the sign.	§ 25-10-124(B)(2)	SIGN HEIGHT: Freestanding sign height may not exceed 12 ft. (a) A subdivision sign may have an increase of one foot for each 100 feet of linear street frontage in excess of 1000 feet, not to exceed 50 feet in height.

ATTACHMENT E